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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	2'-BETA-MODIFIED-6-SUBSTITUTED ADENOSINE ANALOGS AND THEIR USE AS ANTIVIRAL AGENTS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, or

☒ Application No. PCT/US02/34026, filed on October 23, 2002,

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)	
Inventor one: <u>Haoyun AN, residing at 7864 Paseo Tulipero, Carlsbad, CA 92009</u>	CA
Signature: <u>Haoyun AN</u>	Citizen of: <u>United States</u>
Inventor two: <u>Yili Ding, residing at 16655 Mt. Michaelis Circle, Fountain Valley, CA 92708</u>	CA
Signature: <u>Yili Ding</u>	Citizen of: <u>United States</u>
Inventor three: <u>Stephanie Z. Shaw, residing at 2864 Pepperdale Dr., Rowland Heights, CA 91748</u>	CA
Signature: <u>Stephanie Shaw</u>	Citizen of: <u>United States</u>
Inventor four: <u>Zhi Hong, residing at 79 Timberland, Aliso Viejo, CA 92656</u>	CA
Signature: <u>Zhi Hong</u>	Citizen of: <u>United States</u>
<input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Ribapharm Inc.

Application No./Patent No.: PCT/US02/34026 Filed/Issue Date: 10/23/2002

Entitled: 2'-beta-MODIFIED-6-SUBSTITUTED ADENOSINE ANALOGS AND THEIR USE AS ANTIVIRAL ..

Ribapharm Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013622, Frame 0575, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/7/05  
Date  
(714) 545-0100 x3124  
Telephone number

Eileen C. Pruette  
Typed or printed name  
Eileen C. Pruette  
Signature  
Executive Vice President  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Serial No.: PCT/US02/34026

Filing Date: October 23, 2002

First-Named Inventor: Haoyun AN

Title: 2'-beta-MODIFIED-6-SUBSTITUTED ADENOSINE ANALOGS AND  
THEIR USE AS ANTIVIRAL AGENTS

## POWER OF ATTORNEY

**Ribapharm Inc., 3300 Hyland Ave, Costa Mesa CA 92626 ("Applicant")**  
hereby revokes all previous powers of attorney and appoints

**all attorneys associated with customer No. 29858**

of the firm BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP, 900  
Third Avenue, New York, New York 10022, as its attorneys to file and prosecute  
all applications for patent in and before the United States Patent and Trademark  
Office, and to transact all business connected with such applications in the  
United States Patent and Trademark Office.

Applicant's attorneys are further authorized to provide any appropriate  
information identifying any such applications, including the application serial  
number, filing date, and title, in the spaces provided above.

The individual signing below is authorized to execute this document on  
behalf of Applicant.

Ribapharm Inc., by:

Dated: 6/14/04

Signature: Eileen C. Pruett

Type/print name: Eileen C. Pruett

Title: Executive Vice President